

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS  
TITLE 23. WATERS  
DIVISION 1. RECLAMATION BOARD  
CHAPTER 1. ORGANIZATION, POWERS AND STANDARDS  
ARTICLE 3. APPLICATION PROCEDURES

This database is current through 4/11/08, Register 2008, No. 15

§ 15. Bases for Denial of Applications.

The board may deny a permit for any of the following reasons:

(a) If the proposed work could:

- (1) Jeopardize directly or indirectly the physical integrity of levees or other works;
- (2) Obstruct, divert, redirect, or raise the surface level of design floods or flows, or the lesser flows for which protection is provided;
- (3) Cause significant adverse changes in water velocity or flow regimen;
- (4) Impair the inspection of floodways or project works;
- (5) Interfere with the maintenance of floodways or project works;
- (6) Interfere with the ability to engage in floodfighting, patrolling, or other flood emergency activities;
- (7) Increase the damaging effects of flood flows; or
- (8) Be injurious to, or interfere with, the successful execution, functioning, or operation of any adopted plan of flood control.

(9) Adversely affect the State Plan of Flood Control.

(b) When the board is the lead agency under CEQA, and the proposed encroachment could result in potential and unmitigated significant environmental effects, including cumulative environmental effects.

(c) When the board is a responsible agency under CEQA, and the CEQA document is inadequate.

(d) If the applicant fails to supply information deemed necessary by the board for application purposes, including the names of all adjacent landowners.

(e) If the proposed work does not meet board standards contained in article 8.

(f) If there has been a failure by the applicant (or persons associated with the applicant through an agreement or agency relationship) to substantially comply with permit conditions on prior related permits or if there has been work performed without a permit and that work is not the subject of the pending permit application where the applicant has not supplied reasonable and convincing assurances that compliance with the board's regulations will be achieved.

<General Materials (GM) - References, Annotations, or Tables>

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Note: Authority cited: Section 8571, Water Code. Reference: Section 65943, Government Code; Sections 21002 and 21081, Public Resources Code; Sections 8608, 8610.5, 8710 and 8723, Water Code.